

CONFLICT OF INTEREST CODE  
PLANNING COMMISSION  
AND  
VARIOUS DEPARTMENTS OF THE  
CITY OF LODI

Jerry L. Glenn, Assistant City Manager of the City of Lodi hereby submits the attached Conflict of Interest Code to the City Council of the City of Lodi.

That there is attached hereto a copy of the Public Hearing Proceedings dated April 7, 1977.

Jerry L. Glenn  
(Signature)

Assistant City Manager  
(Official Capacity)

Received on behalf of the code reviewing body of the jurisdiction designated above:

Date: May 18, 1977

Alice M. Reimche  
(Signature)

City Clerk  
(Official Capacity)

The attached Conflict of Interest Code having been submitted by the Lodi Planning Commission and the various City Departments herein designated was approved by order of the City Council of the City of Lodi on May 18, 1977 following a Public Hearing on the matter, notice of which was duly published and posted.

By action of the City Council of the City of Lodi on May 18, 1977.

Alice M. Reimche  
Alice M. Reimche  
City Clerk

CONFLICT OF INTEREST CODE  
OF THE CITY OF LODI  
FOR THE LODI PLANNING COMMISSION  
AND THE FOLLOWING DEPARTMENTS:

City Manager, Public Works, City Attorney, City Clerk, Finance,  
Police, Fire, Community Development, Utilities, and Parks and  
Recreation.

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SECTION 100. Purpose. Pursuant to the provisions of  
Government Code Sections 87300, et seq., the City Manager of the  
City of Lodi hereby adopts the following Conflict of Interest Code.  
Nothing contained herein is intended to modify or abridge the pro-  
visions of the Political Reform Act of 1974 (Government Code  
Section 81000). The provisions of this Code are additional to  
Government Code Section 87100 and other laws pertaining to con-  
flicts of interest. Except as otherwise indicated, the definitions of  
said Act and regulations adopted pursuant thereto are incorporated  
herein and this Code shall be interpreted in a manner consistent  
therewith.

SECTION 200. Designated Positions. Government Code  
Section 87302(a) requires that persons, including members of  
Commissions, who are involved in the making or participate in the  
making of decisions which may foreseeably have a material effect on  
financial interests shall be designated employees or shall be deemed  
to hold a designated position. All persons who hold the positions listed  
on Exhibit "A" are designated employees or shall be deemed to hold a  
designated position

SECTION 300. Disclosure Statements. Designated positions shall be assigned to one or more of the disclosure categories set forth on Exhibit "B." Each designated employee shall file an annual statement disclosing that employee's interest in investments, real property, and income, designated as reportable under the category to which the employee's position is assigned on Exhibit "B."

SECTION 400. Place and Time of Filing.

(a) All designated employees required to submit a statement of financial interests shall file the original with the City Clerk of the City of Lodi.

(b) A designated employee required to submit a statement of financial interest shall submit an initial statement within 30 days after the effective date of this Code.

(c) Employees appointed, promoted or transferred to designated positions shall file initial statements within 30 days after date of employment in the position.

(d) Annual statements shall be filed during the month of February by all designated employees. Such statements shall cover the period of the preceding calendar year.

(e) Any person whose employment in a designated position is terminated shall, within 30 days after termination, file a leaving office statement covering the period between the closing date of the last prior statement and the date of termination.

(f) A designated employee required to file a statement of financial interest with any other agency, which is within the same territorial jurisdiction, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate document.

SECTION 500. Contents of Disclosure Statements.

1. Disclosure statements shall be made on forms supplied by the City Clerk of the City of Lodi and shall contain the following information:

(a) Contents of Investment and Real Property Reports:

When an investment, or an interest in real property is required to be reported, the statement shall contain:

(1) A statement of the nature of the investment or interest;

(2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment, or interest in real property, exceeds ten thousand dollars (\$10,000), and whether it exceeds one hundred thousand dollars (\$100,000). This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer.

(b) Contents of Personal Income Reports:

When personal income is required to be reported, the statement shall contain:

- (1) The name and address of each source of income aggregating two hundred and fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
- (2) A statement whether the aggregate value of income from each source was greater than one thousand dollars (\$1,000), and whether it was greater than ten thousand dollars (\$10,000);
- (3) A description of the consideration, if any, for which the income was received;
- (4) In case of a gift, the amount and the date on which the gift was received.

(c) Contents of Business Entity Income Reports:

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity;
- (2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees

to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars(\$1,000);

(3) In the case of a business entity not covered by paragraph (2), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars(\$10,000) during a calendar year.

(d) Contents of Management Positions Reports:

1. When management positions are required to be reported, designated employees shall list the name of each business entity not specified above in which they are a director, officer, sole owner, partner, trustee, employee, or in which they hold any position of management.

2. Contents of Initial Statement:

The initial statement filed by an employee appointed to a designated position shall disclose any reportable investments and interests in real property.

3. Contents of Annual Statements:

The annual statement filed by a designated employee shall disclose any reportable investments, interests in real property, and income during the period since the previous statement was filed.

4. Contents of Leaving Office Statements:

The leaving office statement filed by designated employees shall disclose reportable investments, interests in real

property, a income during the period since the closing date of the previous statement filed pursuant to this Code. The statement shall include any investments in business entities, interests in real property, and income held or received at any time during the period covered by the statement, whether or not they are still held at the time of filing.

5. Acquisition or Disposal During Reporting Period:

In the case of a statement filed under Sections 500(a), if the investment, or interest in real property, was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

SECTION 600. Disqualification. Designated employees must disqualify themselves from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable interest of that employee (except sources of gifts less than \$25.00), or any other financial interest as defined in Government Code Section 87103. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made.

SECTION 700. Manner of Disqualification. A designated employee required to disqualify himself or herself shall notify the City Manager in writing, who shall record the employee's disqualification. Upon receipt of such statement, the City Manager shall immediately reassign the matter to another employee.

SECTION 800. Definition of Terms. Except as otherwise

provided, the definitions contained in the Political Reform Act of 1974 (Government Code 81000 et seq.) , the Regulations of the Fair Political Practices Commission, and any amendments to the Act or Regulations, shall be incorporated into this Conflict of Interest Code.

SECTION 900. Effective Date of Code. This Conflict of Interest Code shall become effective 30 days after approval by the City Council of the City of Lodi.

CITY OF LODI

By

Joseph. Glover  
CITY MANAGER

APPROVED AFTER HOLDING OF PUBLIC HEARING

ON May 18, 1977

CITY OF LODI

By

Walter J. Katnik  
MAYOR

ATTEST:

Alice M. Beemke  
CITY CLERK



EXHIBIT "A"

DESIGNATED POSITIONS  
OR  
DESIGNATED EMPLOYEES

<u>Designated Positions or Designated Employees</u>	<u>Disclosure Category</u>
Director of Public Works	1, 2, & 3
Assistant City Engineer	1, 2, & 3
City Attorney	1, 2, & 3
Assistant City Attorney	1, 2, & 3
City Clerk	2
Finance Director	2 & 3
Assistant Finance Director	2 & 3
Police Chief	2
Fire Chief	2
Assistant City Manager	1, 2, & 3
Community Development Director	1, 2, & 3
Assistant Planner	1, 2, & 3
Building Inspector	1, 2, & 3
Assistant Building Inspector	1, 2, & 3
Utility Director	1, 2, & 3
Assistant Utility Director	1, 2, & 3
Director of Parks and Recreation	1, 2, & 3
Members of the Lodi City Planning Commission	1, 2, & 3

EXHIBIT "B"

DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

Designated employees in Group "1" must report:

- (a) Interests in real property, other than your residence, which is located in whole or in part either within the boundaries of the City, or within two miles of the boundaries of the City, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is greater than \$1,000.00. (Interests in real property of an individual include the share or interest in real property of a business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten per cent interest or greater.)
- (b) Investments in or income from persons or business entities engaged in the business of acquisition or disposal of real property within the City.

Designated employees in Group "2" must report:

- (a) Investments in any business entity which, within the last two years, has contracted, or in the future foreseeably may contract with the City of Lodi to provide services, supplies, materials, machinery or equipment to the City of Lodi.
- (b) Income from any source which, within the last two years, has contracted, or in the future foreseeably may contract with the City of Lodi to provide services, supplies, materials, machinery or equipment to the City of Lodi.

(c) His or her status as a director, officer, sole owner, partner, trustee, employee, or holder of a position of management in any business entity which, within the last two years, has contracted or in the future foreseeably may contract with the City of Lodi to provide services, supplies, materials, machinery or equipment to the City of Lodi.

Investments and income otherwise reportable under Paragraphs (a) and (b) of Category "2" above, shall not be reported unless the total amount of all contracts by the business entity to provide services, supplies, materials, machinery or equipment to the City of Lodi was more than \$1,000.00 in the prior calendar year, or unless the total amount of all foreseeable contracts by the business entity to provide services, supplies, materials, machinery or equipment to the City of Lodi will be more than \$1,000.00 in the next calendar year.

Designated employees in Group "3" must report:

(a) Investments in any business entity which within the last calendar year has been regulated by the City of Lodi or foreseeably may be regulated by the City of Lodi in the next calendar year.

(b) Each source of income, provided that the income was furnished by or on behalf of any business entity which within the last calendar year has been regulated by the City of Lodi, or foreseeably may be regulated by the City of Lodi in the next calendar year.

(c) His or her status as a director, officer, sole owner, partner, trustee, employee or any position of management in any business entity which within the last calendar year has been regulated by the City of Lodi, or foreseeably may be regulated by the City of Lodi in the next calendar year.

I hereby certify that Resolution No. 4354 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 18, 1977 by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Katzakian, and Katnich

Noes: Councilmen - Pinkerton

Absent: Councilmen - None

  
ALICE M. REIMCHE  
City Clerk